

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT
for August 20, 2003 PLANNING COMMISSION MEETING

P.A.S.#: County Change of Zone #216

PROPOSAL: Daniel C. James, for Par Excellence L.L.C., has requested a Change of Zone from AG to AGR Agriculture Residential on property generally located 1/4 mile north of Pella Road and west of S. 162nd.

LAND AREA: 79.57 Acres, more or less

CONCLUSION: Without a rating standard in place, it is not possible to do a review and recommendation of the increased density as stated in the 2025 Comprehensive Plan, therefor, the change of zone application should be deferred until a review performance standard is developed. However, if action is desirable at this time, it should be denied.

RECOMMENDATION:	Deferral of the Change of Zone Denial if action is requested
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GENERAL INFORMATION:

LEGAL DESCRIPTION: North Half of the Southeast Quarter located in Section 22, T7N, R8E, in the 6th P.M., Lancaster County, Nebraska.

LOCATION: S. 162 (State Highway 43) & Pella Rd.

EXISTING ZONING: AG Agriculture in the Lancaster County Jurisdiction

EXISTING LAND USE: Agricultural, and a wooded drainage way.

SURROUNDING LAND USE AND ZONING:

North: Agriculture, one farm dwelling, zoned AG

South: Agriculture, one farm dwelling, Pella church and Pella cemetery, zoned AG.

East: Agriculture with a one dwelling, zoned AG

West: Agriculture, zoned AG

ASSOCIATED APPLICATIONS: none

HISTORY: Changed from AA Rural and Public Use to AG Agriculture in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Plan shows this as Agriculture. This is outside the Lincoln growth Tiers. The 2025 Comprehensive Plan states:

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot) and AGR - Agricultural Residential District (minimum of 3 acres per lot) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies (pg F 70)

Acknowledge the “Right to Farm” and preserve areas for agricultural productions throughout the county by designating specific areas in advance for rural residential so as to limit areas of potential conflict between farms and acreages (pg F 70)

Retain the current overall density of 32 dwellings per square mile (20 acre) for all agriculturally zoned land. Provide for an ability to divide two 3 acre lots per “40” acre parcel with conditions and administrative review and right of appeal. This would allow more flexibility for parcel size while retaining the overall density and assist in retaining farmable units of land. (F 70)

In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, amount of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met. (F 70)

Development of a performance standard “point system” will allow the location of higher density rural acreage development in either “AG” or “AGR” where the review criteria can be met. This allows equal treatment across the county, maximum freedom of determination of marketing and sale, while locating those developments only in those areas where sufficient “points” can be accumulated to justify the development at the requested location.” (F 71)

SPECIFIC INFORMATION:

UTILITIES: This is in the Lancaster Rural Water District #1.

TOPOGRAPHY: Rolling, sloping to two drainage ways that drain to the north and east.

TRAFFIC ANALYSIS: This is served by S. 162nd Street (State Highway 43). Pella Rd. to the south and Princeton Road to the north are both gravel county roads.

PUBLIC SERVICE: This is in the Firth Rural Fire District and the Norris School District. This is served by the Lancaster County Sheriff Department. This is in the Norris Public Power District.

REGIONAL ISSUES: Expansion of the acreage areas.

ENVIRONMENTAL CONCERNS: There is no identified historic or ecological resources on this site. The soil rating on this land is 4.7 on a scale of 1 to 10 where 1 to 4 are prime. This is good but not prime ag land. There is no FEMA mapped flood plain but there is a wooded drainage area through the parcel. No animal confinement was noted in the immediate area. There is a native pasture containing the State listed Prairie Fringed Orchid, across the street east of this site. A small portion of this site is in the wellhead protection area of the Lancaster Rural Water District wells located 1/2 mile south of this site. There are gas lines located in the parcel.

AESTHETIC CONSIDERATIONS: n/a

ALTERNATIVE USES: Continued farming or four 20 acre residential lots or a cluster of four units.

ANALYSIS:

1. This request is for a Change of Zone from AG to AGR. The applicant supplied a sketch plan showing 14 lots. A change of zone to AGR could allow 26 lots.
2. Lancaster Rural Water may be available.
3. This request is not in conformance with the Lincoln-Lancaster County Comprehensive Plan map which shows this as Agriculture. A point system for increased density has not been developed.
4. The County Engineer letter of July 29, 2003, notes no objections.
5. Some acreage review issues can be addressed in this report:
 - a) Water/rural water,
This is in the rural water district. Ground water is not known.
 - b) Road access and paving,
South 162nd is a paved state highway. Princeton Road and Pella Road are gravel County roads. The County roads are not planned for improvement.
 - c) Soil rating,
The soil rating of 4.7 is not prime ag land of the county. It is currently productive cultivated land with a wooded drainage way.

- d) Development of the area/land parcelization,
The land to the north, south, east and west of this area is in substantially larger parcels of 40 and 80 acres in area.
- e) Existing acreages,
There are no abutting acreage developments.
- f) Conflicting farm uses/feedlots,
There are no conflicting farm uses noted in a field check.
- g) Environmental issues,
Wetland - likely in the drainage ways but not mapped
Saline wetland - none
Native pasture - none, some located across the street to the east.
Significant tree masses - some tree masses exist
Ag Land preservation - unknown
Conservation easements - unknown
Endangered species - State listed prairie fringed orchid across the street to the east.
- h) Historic sites
Pella Cemetery, Pella post office established in 1872..
- i) Known pollution sites - none
- .j) Pipelines on or near the site - two pipelines are on or near the site.
- k) Impact on other governmental entities,
This will increase demand for service on the Sheriff, Rural Fire, School and others. The level of impact is not known. This could impact the wellhead protection for the Rural water wellheads 1/2 mile to the south.
- l) Schools - unknown impact on Norris School
- m) Plans of other towns or agencies - none known

Prepared by:

Michael V. DeKalb AICP
Planner
August 2, 2003

CZ #216

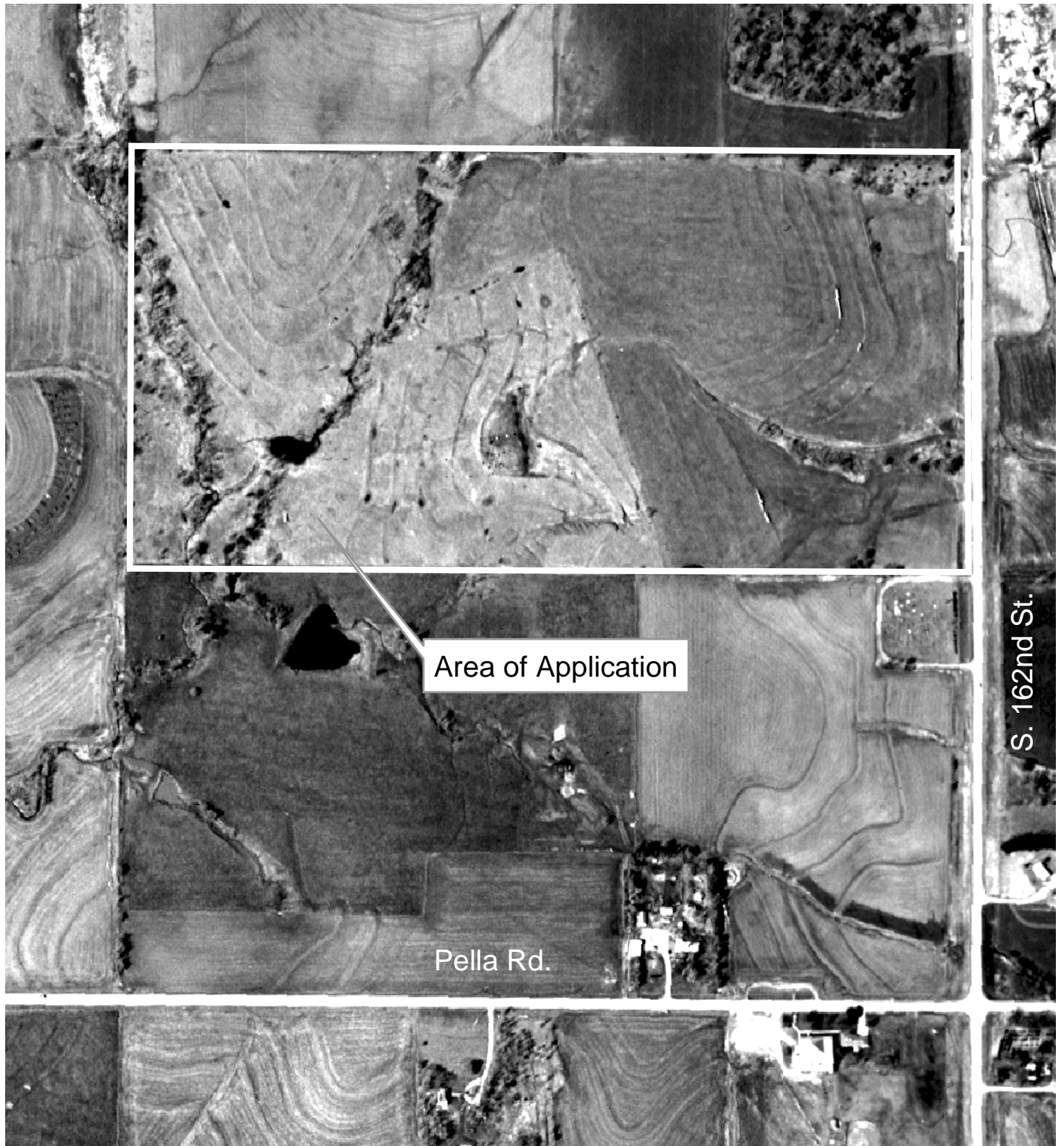
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APPLICANT: Daniel C. James
Par Excellence, L.L.C.
29275 South 96th Street
Firth, NE 68358
(402) 434-2424

CONTACT: same

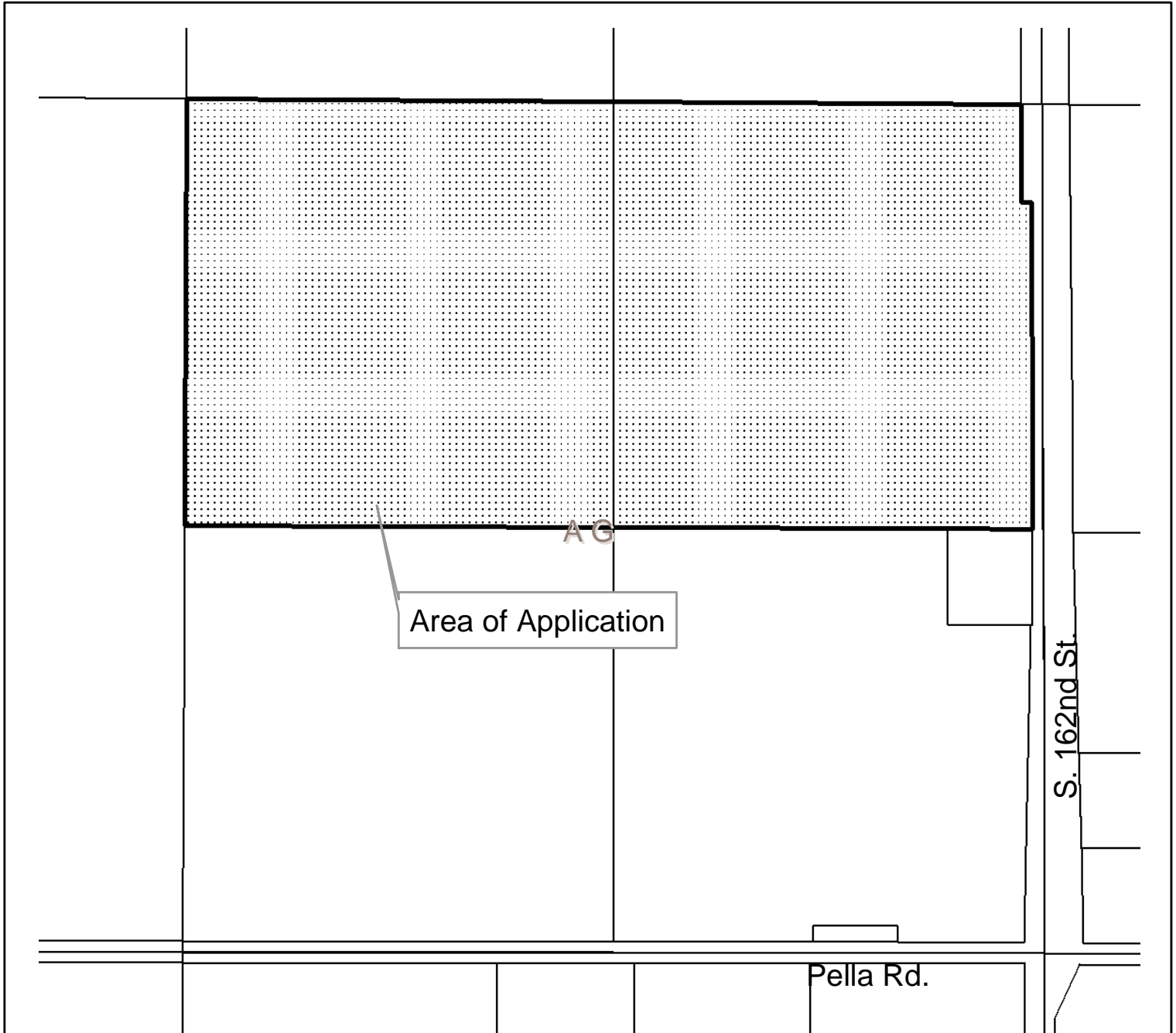
OWNER: Par Excellence, L.L.C.
29275 South 96th Street
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County Change of Zone #216 S. 162nd St & Pella Rd.



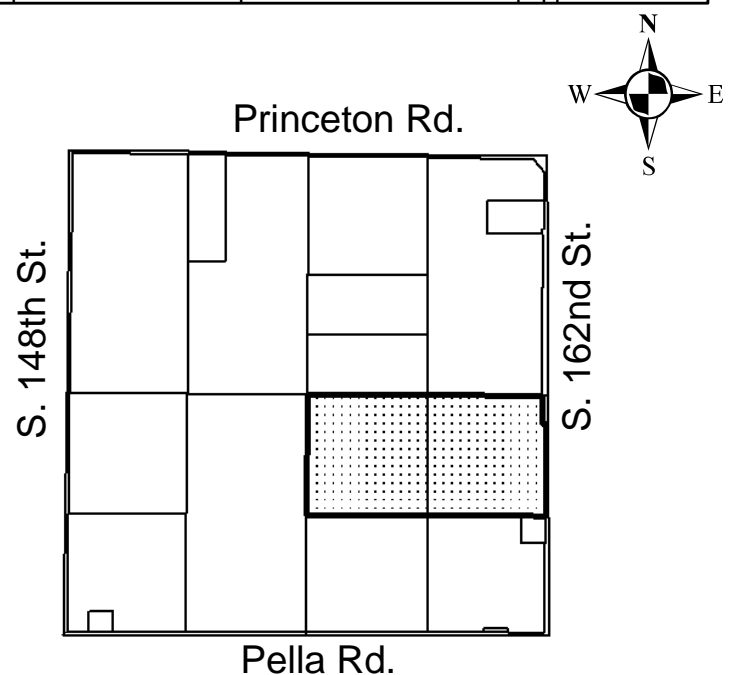
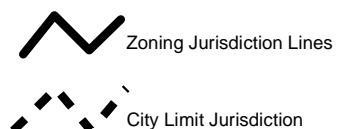


County Change of Zone #216 S. 162nd St & Pella Rd.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 22 T7N R8E





0 100yd

Geological Survey
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RECEIVED

JUL 24 2003

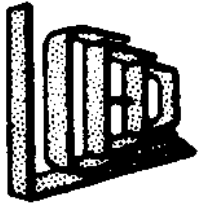
LANCASTER COUNTY
PLANNING DEPARTMENT

0 100M

Image courtesy of
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Concept Plan.



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Lancaster

County

Engineering

Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY - LARRY V. WORRELL
COUNTY SURVEYOR

DATE: July 29, 2003
TO: Mike DeKalb
Project Planner
FROM: Larry V. Worrell
County Surveyor
SUBJECT: COUNTY CHANGE OF ZONE NO. 216
CHANGE FROM AG TO AGR
SOUTH 162ND AND PELLA ROAD

Upon review, this office has no direct objections to this submittal. Access for the proposal is to Nebraska State Highway 43.

LVW/bml

